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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,512	12/18/2000	Jaquelyn Annette Martino	US000363***	3118

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EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT PAPER NUMBER

2677

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/739,512

Applicant(s)

MARTINO ET AL.

Examiner

Kimnhung Nguyen

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 20-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 20-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This Application has been examined. The claims 1-11 and 20-28 are pending. The claims 12-19 are withdrawn. The examination results are as following.

#### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 and 20-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al. (US 6,262,711).

Regarding claims 1, 6, 25, Cohen et al. discloses in figure 2, a user interface (40) comprising at least two objects (see interactors 34), each associated with a respective data set consisting of at least one datum (see fig. 2 and 11, see the interactors having own ID, see col. 14, lines 18-25 and see col. 13, lines 29-40); a controller (see 40, 42 44, 26 and 38) connected to a data store programmed to perform an operation on said respective data sets (see figs 2, 11), the controller having a receiver (because when the interactors contact the surface which receive the signal from the channel 38); at least one transmitter (see the signal will transmit to the computer 28, fig. 2) operatively, a control signal is transmitted to the receiver corresponding to an operation to be performed on at least one of the data sets and responsive to at least the other of the data sets, the controller being programmed to perform the operation (see fig. 2 and 11).

Regarding claims 2-3, 20, Cohen et al. discloses in fig. 2, the at least two object (34) are tokens or beads connected by a wire.

Regarding claim 4, Cohen discloses further comprising a console (fig. 2), the console housing the transmitter.

Regarding claims 5, 7, Cohen discloses that the console has a display (32, fig.2) and at least an inherent one control switch, the control signal being responsive to data entered through said at least one control switch and an image of said display being responsive to the control switch.

Regarding claim 8, Cohen et al. does not disclose the tokens are beads connected by one or more flexible connectors (fig. 2).

Regarding claims 9-11, Cohen et al. discloses the user interface includes a contact elements that is configured to permit the controller to detect in contact with interface (see col. 7, lines 5-8), and each of the tokens contains a unique encoded signature transmittable to the controller via the interface such that the controller may distinguish among the tokens (see figures 2, 11, see interactors having own ID, see col. 14, lines 18-25 and see col. 13, lines 29-40).

Regarding claim 21, Cohen et al. discloses in figs. 2, 11 a user interface, wherein one of the two objects (34 fig. 2 or 302 fig. 11) is a bead that has a visual characteristic that visually distinguishes the one of the two objects from another one of the two objects.

Regarding claims 22-23, 27, Cohen et al. discloses in fig. 2, a user interface, wherein the visual characteristic is a shape and one of the two objects is a soft bead comprising an inherent pressure sensitive switch.

Art Unit: 2677

Regarding claims 24, 28, Cohen et al. discloses the one of the two objects comprises a scrollable display (see the interactor meaning based upon the ID, location and placed up or down or in the event type of navigate media, see fig. 18, see col. 14, lines 49-65).

### **Correspondence**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen  
January 6, 2005

AMR A. AWAD  
PRIMARY EXAMINER  
*Amr Awad*